



PRESS RELEASE

FOR IMMEDIATE RELEASE
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For Information Contact Public Affairs
HARRIET BERNICK
Telephone: (602) 514-7736
Pager: (602) 356-0004

TWICE CONVICTED FELON WHO SHOTS HIMSELF IS SENTENCED TO 10 YEARS FOR POSSESSION OF A FIREARM AND AMMUNITION

TUCSON, ARIZ. – Paul K. Charlton, U.S. Attorney for the District of Arizona, and Lester D. Martz, Special Agent in Charge for the Bureau of Alcohol, Tobacco and Firearms (ATF), announced that on May 25, 2004, James Dietrick Leavitt, 12/15/1964 , of Benson, Arizona, was sentenced to 10 years, by United States District Judge John M. Roll in Tucson, Arizona.

LEAVITT had been found guilty by jury on October 30, 2003, of Possession of a Firearm and Ammunition by a Convicted Felon. The evidence at trial showed that on August 7, 2002, Tucson Police Officers responded to a call of shots fired in the area of Prince and Romero. When officers arrived they found LEAVITT lying on the ground next to his motorcycle with a gun shot wound to leg. LEAVITT initially told the officers that someone shot him, however, he quickly changed his story and admitted that the firearm was hidden in a saddle bag on his motorcycle. Tucson Police Department officers found the firearm wrapped

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in a Red Devils Motorcycle Club vest inside a saddle bag. LEAVITT testified at trial that the firearm belonged to an ex-girlfriend and he was returning it to her when it fell out of his vest pocket and a bullet from the firearm hit his groin.

The case was referred to ATF for further investigation. ATF Agent Ricardo Serrano learned through his investigation that LEAVITT was a convicted felon. Agent Serrano's investigation revealed that LEAVITT was convicted in Sacramento, California of False Imprisonment with Violence on April 22, 1993, and Aggravated Assault with a Deadly Weapon on December 15, 1994.

The investigation in this case was conducted by Tucson Police Department and Bureau of Alcohol, Tobacco and Firearms.

The prosecution was handled by Maria S. Davila, Assistant United States Attorney, District of Arizona, Tucson, Ariz.

CASE NUMBER: CR-03-419-TUC-JMR
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